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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,785	09/27/2001	Rick Rowe	IGTECH.0027P	3410

7590

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EXAMINER

MARKS, CHRISTINA M

ART UNIT	PAPER NUMBER
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3713

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DATE MAILED: 04/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,785

Applicant(s)

ROWE, RICK

Examiner

C. Marks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because the length of the abstract exceeds the allowed length. Correction is required. See MPEP § 608.01(b).

The use of the trademarks EZ-PAY (page 3, paragraph 7), JAVA (page 32, paragraph 98), SPARC (page 33, paragraph 101), FIREWIRE (page 34, paragraph 102), BLUETOOTH (page 34, paragraph 102) has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

The disclosure is objected to because of the following informalities: On page 18, paragraph 51, the first aisle mention should be reference 52 instead of reference 53 and the second aisle mention should be reference 54 instead of reference 53.

Appropriate correction is required.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “physical environment” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

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The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference 60h included in the specification on page 19, paragraph 54.

The drawings are objected to because reference number 60d is so far off the drawing margin it is unclear and can't easily be distinguished without matching the other reference numbers to the specification.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-8, 10, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Wiltshire et al. (US Patent No. 6,409,602).

Wiltshire et al. disclose a method of configuring a graphical user interface wherein a graphical representation of a gaming system is generated (FIG 4B). The gaming system represents a casino floor. The graphical representation includes elements that graphically represent one or more components of a gaming system (FIG 4B, references 440, 450, 460, 430,

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420) in the form of gaming machines. The graphical representation is displayed in a window on a display device (FIG 2, reference 410; Column 8, lines 43-45). The display includes on or more elements and the elements are displayed in positions relative to one another corresponding to positions in a gaming system which the elements represent (slot machines to represent slot games, tables to represent blackjack, wheels to represent bertha are all displayed in positions relative to one another corresponding to the gaming system represented by the virtual display of the casino, see FIG 4B). The interface can then accept a selection of one or more of the displayed elements (Column 8, lines 51-55). When a selection is pressed, it is possible that the selection is of the type relating to navigation input, and the device displays a new portion of said graphical representation (FIG 7A; Column 10, lines 6-14). Information regarding the game selected is then displayed in an information window (Column 8, lines 55-65; see FIG 5A) on the display. The graphical representation includes at least a portion of a physical environment of the gaming system representing a casino floor in which the components of the gaming system are located (FIG 4B, FIG 8A, FIG 9A). Other elements besides the representation of the gaming system are displayed relative to a represented physical environment (FIG 4B, FIG 8A, FIG 9A see waitress, tree, car). The information regarding the component is retrieved from a remote location; the information is provided to the user by the server (Fig 1A). In displaying the information, a menu is displayed (FIG 8B, see payable 840) and a navigational element (FIG 8B, see return button 880). The step of displaying acts as an initiating element in that a program representing that specific gaming component is initiated (Column 8, lines 61-65) and once the image is displayed the player can then interact with the component to garnish further information from it.

Claims 1, 5, 6, 9, 13-17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Howington (US Patent Application Publication No. 2002/0152120).

Howington discloses a means of generating a graphical user interface comprising means for generating a graphical representation of a gaming system including elements graphically representing one or more components of the gaming system (FIG 10). The graphical representation comprising a main window and a display area (FIG 10) is displayed on a user interface on a display device (FIG 9; page 4, paragraph 40). The elements are displayed relative to one another corresponding to relative positions which they represent (FIG 10, page 4, paragraph 42). The user interface allows means for selection of one or more displayed elements (page 5, paragraph 45) and information is displayed regarding one or more components represented by the selection (page 5, paragraph 45). The graphical user interfaces also includes a number of menus (FIG 10) and navigational selectable element (page 5, paragraph 45). The step of retrieving information regarding the components is from a remote location and the remote location is a component of the gaming system (page 4, paragraph 40, FIG 9). These displayed elements are configured as container elements (FIG 9) as data collection devices store many data elements and information from the machine in a locally located or central data warehouse (page 4, paragraph 40). The system also includes an information host in the form of a server that is adapted to be connected to a display wherein the graphical information can be displayed (FIG 9; page 44, paragraph 40). A communication link is included so data from the 3 gaming devices can communicate information to the host (FIG 9; page 4, paragraph 40). The system also includes a data collection device for player tracking that is in communication with the information host

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(FIG 9; page 4, paragraph 40) and the devices are networked together to generate the player information. Further a database is stored which contains this data as well representing a server of player information as it grants requests from the information from the main information host (page 5, paragraphs 46-47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howington (US Publication No. 2002/0152120) in view of Soltys et al. (US Patent No. 6,460,848).

What Howington discloses has been discussed above and is incorporated herein.

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Howington discloses a system and method for casino management used to monitor a number of gaming machines in the system.

Howington does not disclose a camera for collecting image information or to provide visual information regarding a portion of the gaming system. Howington also does not disclose means for displaying the visual information.

Soltys et al. teach that in a casino environment where the gaming is fast paced and large sums of money are trading hands, the casino becomes a likely target for cheating. For this reason, Soltys et al. disclose that it is very well known to employ a variety of security measures including cameras covering a gaming system to provide a live or taped video signal that personnel can closely examine. Information is generated from this camera and will help casinos detect fraud (Column 1, lines 59-67).

As camera surveillance is well known in the art, it would have been obvious to one of ordinary skill in the art to incorporate the camera surveillance as disclosed by Soltys et al. into the gaming system of Howington. One of ordinary skill in the art would be motivated to do so in order to provide a security function to the casino monitoring system of Howington. Therefore, upon selection of a machine that is under suspicion, the personnel would be able to watch the surveillance feed to determine if fraud has occurred. This would provide the casino with a greater amount of security as well as the ability to better track fraudulent players and prevent stealing and cheating which is a major concern in casino security.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,974,135: Casino management program that allows access to all parts of the casino where guests are managed as well as offering a casino walk-through.

US Patent No. 5,762,552: Machine with access to a number of casino areas for monitoring of the machines where the win/loss determination is determined.

US Patent No. 6,383,077: Computer assisted process useful in managing the assignments of casino management.

US Patent No. 6,319,125: Casino management wherein all the machines can be accessed by groups via a control program. Each section of the casino is divided up for easier access to the actual location.

US Patent No. 6,508,709: System with a number of cameras to monitor a number of gaming machines on the gaming premise are recorded as a function of a virtual casino.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Marks whose telephone number is (703)-305-7497. The examiner can normally be reached on Monday - Friday (7:30AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, V. Martin-Wallace can be reached on (703)-308-1148. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9302 for regular communications and (703)-872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1148.

cmm
cmm
March 27, 2003

A handwritten signature in black ink, appearing to read "M O'NEILL", with a long horizontal stroke extending to the left.

**MICHAEL O'NEILL
PRIMARY EXAMINER**